

FILED
DEC 16 2009
JUDGE JESSICA R. MAYER

_____	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION: MIDDLESEX COUNTY
	:	
IN RE ORTHO EVRA® BIRTH CONTROL	:	<u>Civil Action</u>
PATCH LITIGATION	:	ORTHO EVRA LITIGATION
CASE CODE 275	:	Case Code: 275
	:	
	:	
As to HERRING (L-5787-07) only	:	CASE MANAGEMENT ORDER
	:	No. 18
_____	:	

THIS MATTER having been opened to the Court jointly by counsel for the plaintiff and defendants, and for good cause shown,

IT IS on this 16th day of December, 2009;

ORDERED as follows:

1. This Order supersedes all prior Orders and modifies the deadlines previously set forth in Case Management Order No. 16.

SCHEDULE FOR HERRING CASE DISCOVERY

2. Fact discovery for the Herring case shall end on **February 12, 2010**.

3. Choice of law motions, if any, shall be filed by **noon** as follows:

- i. File Motion: **January 6, 2010**
- ii. File Opposition: **January 14, 2010**
- iii. File Reply: **January 19, 2010**
- iv. Return Date: **January 22, 2010 (Oral argument to be scheduled.)**

4. Plaintiff's expert reports for the Herring case shall be served on or before **February 19, 2010**.

5. Defense expert reports for the Herring case shall be served on or before **April 2, 2010**.

6. No expert may testify at trial unless his/her report is served in accordance with the terms of this order.

7. All experts for the Herring case shall be deposed on or before **April 16, 2010**.

SCHEDULE FOR HERRING TRIAL

8. The parties shall exchange proposed exhibit lists, witness lists, and deposition designations no later than **April 30, 2010**.

9. The parties shall serve objections and counter deposition designations no later than **May 14, 2010**.

10. The parties shall serve proposed exhibit objections no later than **May 21, 2010**.

11. Dispositive motions shall be filed by **noon** no later than the dates set forth below (dispositive motions may be filed earlier with permission by the Court):

- i. File Motion: **April 1, 2010**
- ii. File Opposition: **April 20, 2010**
- iii. File Reply: **April 26, 2010**
- iv. Return Date: **April 30, 2010 (Oral argument to be scheduled.)**

12. Kemp motions shall be filed by **noon** according to the following schedule:

- i. File Motion: **June 11, 2010**
- ii. File Opposition: **June 29, 2010**
- iii. File Reply: **July 6, 2010**
- iv. Return Date: **July 9, 2010 (Oral argument to be scheduled.)**

13. *In limine* motions shall be filed by **noon** according to the following schedule:

- i. File Motion: **July 7, 2010**
- ii. File Opposition: **July 15, 2010**
- iii. Return Date: **July 23, 2010 (Oral argument to be scheduled.)**

14. The parties shall submit trial briefs no later than **July 30, 2010**.

15. One page joint statement of the case for the jury pool and joint submission of questions for the jury *voir dire* to be submitted to the Court no later than **July 30, 2010**.
16. The parties shall submit final exhibit lists no later than **September 7, 2010**.
17. Proposed joint jury charges and verdict sheet shall be submitted to the Court no later than **September 7, 2010**.
18. All of the aforementioned documents filed with the Court shall be filed by **12:00pm** on the due date.
19. The Herring trial shall begin on **September 20, 2010**.


JESSICA R. MAYER, J.S.C.